

00-SM5-142

REMARKS

Claims 1, 2, 4-21 and 32-36 currently stand allowed. Claims 1 and 32 have been amended, leaving Claims 1, 2, 4-21 and 32 for consideration in this amendment.

After further review of the Examiner's amendment to the claims, Applicants respectfully request the above noted amendments to the claims be entered. Support for the amendments can be found in the originally filed application on page 10, line 10. It is believed that the amendments made herein may be properly entered at this time, i.e., after notice of allowance, because the amendments do not require a new search or raise new issues. More particularly, the claims as amended are believed to recite subject matter already indicated as allowable.

The amendment is needed after further consideration of the Wengert reference. The present amendment was not presented earlier since the Wengert reference was never formally cited in any Office Action as a statutory basis for rejecting the claims. This particular reference was only noted in a telephone conversation on August 16, 2006 with the Examiner after indicating that the claims were allowed in view of the Supplemental Appeal Brief submitted on May 22, 2006. To expedite prosecution, the Examiner recommended an Examiner's amendment be made to independent Claims 1 and 32 adding the limitation "triangularly shape" to further characterize the flow-shaping portion of an inlet manifold assembly and distinguish over the Wengert reference. After further consideration, Applicants consider this recommendation as being unduly limiting and request that the above noted amendment be entered so as to characterize the flow-shaping portion as "substantially fan shaped".

No additional search or examination is required of the amendment because, as noted by the Examiner in the Notice of Allowance, Wengert fails to teach or suggest a triangularly shape flow-shaping portion. Because of this, it stands to reason that Wengert also fails to teach or suggest a substantially fan-shaped flow-shaping portion, which in fact it does not.

00-SM5-142

Moreover, under 37 C.F.R. §1.104(e), reasons for allowance are intended only as a supplement to the "record as a whole" when that record is not clear and shall not be treated as a substitute for the record or in a manner inconsistent with the record. Therefore, Applicants accept the Examiner's reasons for allowance only to the extent that they are consistent with the record as a whole and do not accept any claim interpretation that is broader or narrower than that afforded by the record as a whole prior to the Examiner's statement of reasons for allowance. As to all claims for which the basis for allowance is otherwise clear from the record, no further limitation can be inferred from the examiner's statement under rule 104(e).

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130 maintained by Applicants' Attorneys.

Respectfully submitted,

CANTOR COLBURN LLP

By



Peter R. Hagerty

Registration No.: 42,618

Date: October 11, 2006
Telephone (404) 607-9991
Facsimile (404) 607-9981
Customer No. 23413